

REMARKS

In the outstanding Office Action, claims 1-31 stand rejected. No claims were indicated as containing allowable subject matter. Claims 1-14, 18-28 and 31 are cancelled by this amendment. Independent claims 15 and 29 have been amended. New claims 32-42 have been added.

35 USC 102 REJECTION

Claims 15-17 and 29-30 are rejected as being clearly anticipated by Rettkowski (4,247,147). The applicant respectfully disagrees with the examiner's position. Each and every limitation recited in the claims must be explicitly disclosed in the reference. Independent claims 15 and 29 both recite a "dimple" and that "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer".

Applicant refers the Examiner to the definition of a dimple according to The Random House College Dictionary, the unabridged revised edition, Jess Stein editor, copyrighted 1975. The definition for dimple is: "1. a small natural hollow area, . . . ; 2. any similar slight depression; 3. to mark with or as with dimples; 4. Metalworking. To dent (a metal sheet) so as to permit use of bolts or rivets with countersunk heads; 5. to form or show dimples."

Additionally, Figure 10 of applicant's disclosure illustrates the dimple of the present invention. Figure 10 shows a depression formed in the metal retainers inside wall. A protrusion from the exterior surface of the retainer is formed by the outwardly directed dimple.

Rettkowski does not disclose a dimple. Nowhere does the specification or drawings disclose a depression. The retainer clip includes a plurality of protrusions 22; however, the specification is silent as to if the protrusion were made by

dimples. If the Examiner continues to maintain this ground of rejection of claims 15 and 29 as being anticipated under 35 USC 102, the Examiner is requested to detail which structure in Rettkowski meets the claimed dimple limitation.

Further, there is no disclosure in Rettkowski that meets the detailed recitation of "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer". In Figures 2A, 3, 4, 7, and 7A, the radial projection is clearly represented as being much greater than the thickness of the retainer 12. The protrusion appears to extend beyond the exterior wall of the retainer about 3X-4X the thickness of the retainer.

Accordingly, claims 16 and 17, which depend on claim 15, and claim 30, which depends on claim 29, it is submitted are also allowable for the same above reason.

With respect to claim 17, the protrusions in Rettkowski are conical at 28, or in truncated form at 26, but not semi-circular.

Claims 15-17 and 29-30 are rejected as being clearly anticipated by Bower, Jr. (4,327,947). The applicant respectfully disagrees with the examiner's position. Each and every limitation recited in the claims must be explicitly disclosed in the reference. Independent claims 15 and 29 both recite a "dimple" and that "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer".

Bower, Jr. does not disclose a dimple. Nowhere does the specification or drawings disclose a depression. The retainer clip includes a plurality of protuberances 34. The protuberances are not dimples, but arcuate leaf springs, see column 3, lines 1-3, in Bower, Jr. In figures 2 and 3, it is apparent that the protuberances are not formed by a dimple.

The protuberances are an arcuate shape and connected to the retainer just at the two ends of the arc.

Further, there is no disclosure in Bower, Jr. that meets the detailed recitation of "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer". In Figure 3, the protuberance is clearly represented as being much greater than the thickness of the retainer 12. The protrusion extends beyond the exterior wall of the retainer about at least 1X the thickness of the retainer. It should be noted that "daylight" can be seen between the interior surface of the arcuate protuberance and the exterior wall of the cylindrical retainer.

With respect to claim 17, the protrusions in Bower are arcuate leaf springs, not semi-circular in shape as recited.

Accordingly, claims 16 and 17, which depend on claim 15, and claim 30, which depends on claim 29, it is submitted are also allowable for the same above reason.

Claims 15-17 and 29-30 are rejected as being clearly anticipated by Fig 13 of Sullosky et al. (4,327,947). The applicant respectfully disagrees with the examiner's position. Each and every limitation recited in the claims must be explicitly disclosed in the reference. Independent claims 15 and 29 both recite a "dimple" and that "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer".

Sullosky et al. does not disclose a dimple. Nowhere does the specification or drawings disclose a depression. The retainer clip includes a plurality of protuberances 204. The protuberances are not disclosed as being dimples. The specification, in column 13, lines 42-49, refers to the protuberances as "bumps". Figure 13 in Sullosky et al. does not illustrate a dimple.

Further, there is no disclosure in Sullosky et al. that meets the detailed recitation of "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer". It should be noted that the thickness of the retainer in Sullosky et al. is not described in the specification, nor is the thickness dimension shown in Figure 13 so as to permit the proportionate ratio of the retainer thickness to the radial projection to be even estimated.

If the Examiner continues to maintain this ground of rejection of claims 15 and 29 as being anticipated under 35 USC 102, the Examiner is requested to detail how the bumps 204 in Sullosky et al. meet the claimed dimple limitation and where the 15-30% claim language is disclosed therein.

With respect to claim 17, the Sullosky reference does not describe the "bumps" as being semi-circular in sahpe.

Accordingly, claims 16 and 17, which depend on claim 15, and claim 30, whichs depend on claim 29, it is submitted are also allowable for the same above reason.

Claims 15-17 and 29-30 are rejected as being clearly anticipated by Figure 13 of Beach (5,645,323). The applicant respectfully disagrees with the examiner's position. Each and every limitation recited in the claims must be explicitly disclosed in the reference. Independent claims 15 and 29 both recite a "dimple" and that "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer".

Beach does not disclose a dimple. Nowhere does the specification or drawings disclose a depression. The Figure 1 retainer clip includes a plurality of protuberances 30. The protuberances are not disclosed as being dimples. The

specification, in column 5, lines 49-54, refers to the protuberances as "bumps".

Further, there is no disclosure in Beach that meets the detailed recitation of "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer". It should be noted that the thickness of the retainer in Beach is not described in the specification, nor is the thickness dimension shown in Figure 1 so as to permit the proportionate ratio of the retainer thickness to the radial projection to be even estimated.

If the Examiner continues to maintains this ground of rejection of claims 15 and 29 as being anticipated under 35 USC 102, the Examiner is requested to detail how the structure, bumps 30, in Beach meet the claimed dimple limitation and 15-30% claim language.

Accordingly, claims 16 and 17, which depend on claim 15, and claim 30, which depends on claim 29, it is submitted is also allowable for the same above reason.

Claims 15-17 and 29-31 are rejected as being clearly anticipated by Fig 13 of Sollami (6,000,153). The applicant respectfully disagrees with the examiner's position. Each and every limitation recited in the claims must be explicitly disclosed in the reference. Independent claims 15 and 29 both recite a "dimple" and that "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer".

Sollami does not disclose a dimple. Nowhere does the specification or drawings disclose a depression. The retainer clip includes a plurality of protuberances 37. The protuberances are not disclosed as being dimples. The specification in column 2, lines 58-65, refers to the

protuberances as "nodules". Figure 3A or Figure 4 in Sollami does not illustrate a dimple.

Further, there is no disclosure in Sollami that meets the detailed recitation of "the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer". It should be noted that the thickness of the retainer in Sollami is not described in the specification nor is the thickness dimension shown in Figure 3A or 4 so as to permit the proportionate ratio of the retainer thickness to the radial projection to be even estimated.

If the Examiner continues to maintains this ground of rejection of claims 15 and 29 as being anticipated under 35 USC 102, the Examiner is requested to detail how the structure in Sollami meets the claimed dimple limitation and where the 15-30% claim language is disclosed.

With respect to claim 17, the Sollami patent does not disclosure the "bumps" as being semi-circular in shape.

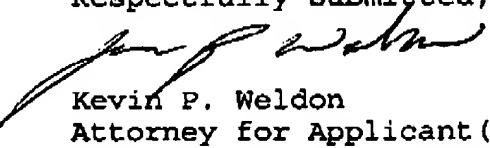
Accordingly, claims 16 and 17, which depend on claim 15, and claim 30, which depends on claim 29, it is submitted are also allowable for the same above reason.

In view of the above amendments and comments, it is believed that claims 15-17, 29, 30 and 32-42 are patentable over the art of record. Thus, applicant respectfully requests a Notice of Allowance indicating claims 15-17, 29, 30 and 32-42 as being allowable. If for any reason the examiner does not believe that the application is in condition for allowance, the examiner is requested to telephone applicant with any comments or questions (724-539-3848) in order to expedite prosecution of the application.

Applicants petition for an Extension of Time of three months, from September 11, 2002. Please charge fees to Deposit Account 11-0508.

The Commissioner is hereby authorized to charge any fees, including additional filing fees required under 37 CFR 1.16 and 1.17, in connection with this submission to Kennametal Inc. corporate Deposit Account 11-0508.

Respectfully submitted,

  
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AMENDMENT

(Version with markings to show changes made)

Amended Claims

15. (amended) A cutting tool assembly, said assembly comprising:

    a retainer sleeve including ~~an outward dimple~~  
~~wherein said dimple has at least one radially outward~~  
~~projecting dimple;~~

    wherein said retainer has a cylindrical circumference and a thickness dimension,

    the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer.

29. (amended) A retainer, said retainer comprising:

    a retainer sleeve including ~~an outward dimple~~  
~~wherein said dimple has at least one radially outward~~  
~~projecting dimple;~~

    wherein said retainer has a cylindrical circumference and a thickness dimension,

    the amount of radial projection of said dimple beyond the cylindrical surface of the retainer is about 15-30 percent of the thickness dimension of said retainer.